

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charles Henry HORN et al. Confirmation No.: 1275  
 Application No.: 10/521,847 Group No.: 1651  
 Filed: November 23, 2005 Examiner: Kade Ariani  
 For: *Megasphaera elsdenii* Strain And Its Uses

Mail Stop AF  
 Commissioner for Patents  
 P.O.Box 1450  
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**AMENDMENT & RESPONSE AFTER FINAL REJECTION**

Sir: This Amendment & Response is filed in response to the final Office Action dated December 12, 2007 in which pending claims 23, 24 and 26-57 were rejected. A Request for Continued Examination and the required fee are submitted herewith. A two-month extension of time is hereby requested, and the required fee is submitted herewith.

The Applicant respectfully requests entry of the following amendments and reconsideration.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

{Practice Areas\Corp\21439\00001\A4030644.DOC}

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

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**37 C.F.R. SECTION 1.8(a)****37 C.F.R. SECTION 1.10\***

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Date: April 29, 2008

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